

**MINUTES
OF THE REGULAR MEETING OF THE
TOOELE COUNTY BOARD OF COMMISSIONERS
HELD APRIL 15, 2014**

Chairman Clegg called the meeting to order at 7:00 p.m. The time, place and agenda of the meeting had been provided to the Tooele Transcript Bulletin and to each member of the governing body by delivering copies of the notice and agenda at least two days before to each of them.

1. **PLEDGE OF ALLEGIANCE** was offered by Jeff McNeill.
2. **ROLL CALL** The Clerk called the roll which showed Commissioners Bruce Clegg, Chairperson, Jerry Hurst and Shawn Milne present. Also present were Doug Hogan, Attorney and Marilyn Gillette, Clerk.
3. **MINUTES** Commissioner Hurst moved to approve the minutes of the Commission Meeting held April 1, 2014, as corrected. Commissioner Milne seconded the motion. All concurred.
4. **CONSENT AGENDA.** Commissioner Milne moved to approve the consent agenda. Commissioner Hurst seconded the motion. All concurred.
Invoices. A) Warrants issued on April 2, 2014 in the amount of \$284,222.40, Direct Deposit #99444 - #99711, Check #6581 - #6584. Transmittal Checks in the amount of \$221,307.70, Check #6585 - #6597; B) Warrants issued on April 3, 2014 in the amount of \$478,983.79, Check #144332 thru #144408; C) Warrants issued on April 3, 2014 in the amount of \$478,983.79, Check #144332 thru #144408.
5. **ORDINANCE 2014-03 - ENACTING SECTION 1-7-2, COMMISSION CONSENT POWER OVER HIRING, OF THE TOOELE COUNTY CODE.** Commissioner Clegg stated this item will be discussed in the Elected Official/Department Head meeting, which will be a closed meeting. Commissioner Clegg asked Attorney Hogan to explain the intent of the ordinance to the public. Commissioner Hurst felt it was a good idea to discuss this with the Elected Officials and Department Heads. He moved to postpone item #5 and #6 until that meeting can take place. Commissioner Milne seconded the motion. All concurred.
6. **RESOLUTION 2014-04 - ENDING SUBSECTION 7.A, REGULAR HIRING PROCEDURE, OF SECTION 7, HIRING, OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL (CLARIFYING THAT PROSPECTIVE EMPLOYEES MUST BE APPROVED BY THE COMMISSION BEFORE A CONDITIONAL JOB OFFER IS MADE).** See motion to postpone under item #5.
7. **ACCEPTANCE OF A PERPETUAL CONSERVATION EASEMENT FOR THE RESERVE SUBDIVISION, PHASE 1, PARCELS A & B GRANTOR/OWNER: PERRY DEVELOPMENT, LLC.** Blaine Gehring, Planner, discussed this item. Commissioner Milne moved to accept the easement, as noted. Commissioner Hurst asked about the section of the agreement that states the land will be kept in it's natural state without being irrigated. Attorney Hogan stated that this language came from the developer. Commissioner Hurst would like to have that clarified before taking a vote. The motion died for lack of a second. Commissioner Milne moved to table this item until the irrigation issue can be clarified. Commissioner Hurst seconded the motion. All concurred.

8. AMENDMENT #1, CONTRACT #140934 - BETWEEN TOOELE COUNTY AND THE UTAH DEPARTMENT OF HUMAN SERVICES, DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH TO EXTEND THE END DATE OF CONTRACT AND ADD \$8,808.00 IN FUNDING FOR FY2015. Commissioner Milne discussed what the purpose of this amendment is. Commissioner Hurst moved to approve. Commissioner Clegg seconded the motion. All concurred.

9. LAKEVIEW ROAD RECONSTRUCT PROJECT ENGINEERING CONTRACT.
Rod Thompson, Road Department, stated this road is in the Captain Island Subdivision on Lakeview Dr. The road has been failing in small sections. Western Technologies did a Geotechnical Report on the roads in the subdivision. Their report said the eastern part of the project has some areas with 6" of road base, the western part has up to 12" of road base. With those results they asked Ensign Engineering for a proposal to complete the engineering and subsequent work. Ensign came up with three scenarios, Rod proposed approval of scenario #2 - "The road restoration could consist of the localized removal and replacement of the most deteriorated sections of asphalt, the localized removal and replacement of the settled sections of curb and gutter and then the placement of a final asphalt overlay at a determined thickness over the entire roadway." Rod would like to enter into a separate agreement for hourly consultation. The proposed fee for scenario #2 would be \$12,300. Commissioner Hurst moved to approve the Lake View Road Reconstruction Project Engineering Contract. Commissioner Milne seconded the motion. All concurred.

10. RATIFICATION OF AMENDED CONSULTANT AGREEMENT WITH PARSONS/BRINKERHOFF WHICH WAS APPROVED AS AN EMERGENCY ITEM DURING APRIL 1, 2014 COMMISSION MEETING. Recorder Jerry Houghton stated that the contract approved in the last Commission meeting was for work to be done on the Mid Valley Highway for voluntary acquisition totaling \$8,465. This contract includes the original items to get it to the point to where someone else could close the transaction - totaling \$19,275. The additional fee's are for project control management, two appraisal reviews and helping with negotiations. Also one change to the previous contract on payment terms. This is not a significant change. Their time line is to be completed by July 7th. Commissioner Milne moved to approve with the noted changes to the contract approved in the last Commission meeting. Up to and not to exceed \$20,000. Commissioner Hurst seconded the motion. All concurred.

11. CONTRACT REVIEW. A)10-05-03- US Training Council CTC Training Site Agreement, Between Tooele County and the American Heart Association & Utah Regional Affiliate, C)11-04-02- Master Electric Service and Facilities Improvement Agreement Between Rocky Mountain Power and Tooele County Corporation;
E)12-04-02- Tooele County Senior Meal Agreement Amendment Between Tooele County and Trinity Services I, LLC, F/K/A Compass Group, USA, Inc.;
F)12-05-02- Tooele Multi-Agency Drug Task Force Interlocal Agreement Between Tooele County, Tooele City, Grantsville City, Stockton Town and Certain Law Enforcement/Public Agencies of the State of Utah; G)12-05-03- County Bee Inspection Services Agreement Between Tooele County and Kelly Keele;
K)13-05-01- Contract Between Certified Shred and Tooele County;
L)13-04-04- Interlocal Cooperation Agreement, City of Wendover, Utah and Tooele County Building Inspection Services will all be reviewed April, 2015.
B)10-07-08- Cooperative Agency Agreement Between the Aeronautical Operation Division of the State of Utah, Utah Department of Transportation and Tooele County will be reviewed May, 2014. D)11-04-05- Route Deviation Services Agreement Between Tooele County and Utah Transit Authority will be reviewed January, 2015.
H)12-09-02- Lease Agreement Between Tooele County and Pacific West, LLC will be reviewed July, 2014. J)12-12-02- State of Utah, Department of Administrative Services, Division of Facilities Construction and Management Contract # 97-1749, Amendment #4; J)13-05-05- Operation Agreement for Desert Peak Soccer Fields Between Tooele County and TC United both have no further need for review.

12. **BOARD OPENINGS.** Tourism Tax and Advisory Board - Cultural Attraction - 1 position - Open until May 1, 2014.

13. **PUBLIC CONCERNS.** Tom Poyner - item #5 and 6 commended the Commissioner's for trying to get in compliance with State statutes. The Division of Wildlife Resources will give the public baby chicks and wild turkeys for people to raise, then to be released into the wild. He was thinking about the sage grouse which is a natural animal. Could the sage grouse be included into this?

He asked about the minutes that were posted for the Commission meeting held March 4, 2014. He couldn't get them to print correctly. Clerk Gillette will check into this.

Ray Dixon - items #5 and #6. He feels as a resident, that the less the Commissioner's have to do with that, the better off we will be. The Elected Officials have been elected by the citizens to oversee their departments and do what is necessary. Once the budget is approved they should be able to staff their departments. This is a waste of the Commissioner's time. If we can't trust the Department Heads and Elected Officials, perhaps something needs to be done there.

Susan Kroff - items #5 and #6. There is a way to solve this without giving the Commission anymore power than they already have. Why would the Commission's decision be better than the Elected Officials decision on who to hire in their department. Let them do the job they were voted in for. If we don't like the way they manage their office, the citizens can vote them out at the next election.

Toby Lee - Thank you for clarifying the powers they already hold and firming them up. Nothing changes from where we already are, not gaining any additional powers, those are already there. It's important that we come together and work together to move forward. This is a good move.

Kendall Thomas - same issue. Before a Department Head is able to hire, does the Commission approve the funding for that position? Why are they micro managing the Elected Official or the Department Head. If the funding has already been approved, that person should have the say on who to hire for the position. This is a level of micro management.

Chris Connelly - Tooele County employee - agrees with all of the things that have been said. The Commissioners have enough to do, let the Elected Officials do their jobs. We work with them, the Commission doesn't work with them. She appreciates them but they need to do what they can to bring money into the County. Let the Elected Officials make their own decisions. The rumor has been floating around that we are going to have this little conversation tonight. Why wasn't it taken before the Elected Officials before tonight?

Brandon Bender - went thru the draft of the resolution himself. He suggested changing the terminology from "approval from the Commission" to "advise on hiring". Let the Elected Official have the final say.

14. **ADJOURNMENT.** Commissioner Hurst moved to adjourn the meeting at 7:49 pm. Commissioner Milne seconded the motion. All concurred.

THE FOREGOING MINUTES ARE HEREBY APPROVED:

BY: J. Bruce Clegg
J. BRUCE CLEGG, CHAIRMAN

ATTEST:

BY: Marilyn K. Gillette
MARILYN K. GILLETTE, CLERK

